

ARIZONA DEPARTMENT OF WATER RESOURCES
Modified Non-Per Capita Conservation Program (Modified NPCCP)

Frequently Asked Questions (FAQs)

What is the Modified NPCCP?

The Modified NPCCP is a new regulatory program added to the Third Management Plan (TMP) for Arizona's Active Management Areas (AMAs). It is a performance-based program that requires participating providers to implement water conservation measures that result in water use efficiency in their service areas. Providers must implement a Public Education Program and one or more additional Best Management Practices (BMPs) based on their total number of residential and non-residential water service connections.

- Up to 5000 connections - 1 BMP
- 5001 – 30,000 connections - 5 BMPs
- 30,001 or more connections - 10 BMPs

Who Participates in the Modified NPCCP?

Required: All large municipal providers (cities, towns and private water companies serving more than 250 acre-feet per year) that do not have a Designation of Assured Water Supply (DAWS) and that are not regulated as a large untreated water provider or an institutional provider are required to participate.

Optional: Participation is optional for large providers that have a DAWS. During the TMP, these providers have the following options:

1. If currently in GPCD Program, they may continue in that program or switch to the Modified NPCCP or Alternative Conservation Program (ACP).
2. If currently in the NPCCP, they may continue in that program or switch to the Modified NPCCP, GPCD, or the ACP.
3. If currently in the ACP they must remain in that program until the Fourth Management Plan.

In the Fourth Management Plan, large providers with a DAWS will have only two options: the GPCD program or the Modified NPCCP.

What are the Basic Requirements of the Modified NPCCP?

1. Provider Profiles for entrance into the program.
2. Implementation of the required Public Education Program.
3. Implementation of appropriate number of BMPs.
4. 100% metering.
5. Conservation Efforts Reports due along with the Annual Water Withdrawal and Use Report.
6. Records retention for five years.

What is the Provider Profile?

The Profile assists providers in an assessment of their water service areas for the purpose of choosing relevant BMPs with a high potential for improving water use efficiencies. It is required to enter the program and is reviewed by the Department to see if the requirements have been met. The following information is requested on the Profile:

- Service area characteristics and water use patterns.
- The Public Education Program that will be implemented.
- The additional BMPs that will be implemented.

- A justification of how each BMP is relevant to the provider's service area characteristics and/or water use patterns.
- Whether the metering requirements are met.
- Conservation measures already implemented.
- Copy of current rate structure

If a Provider's total number of service connections increases to a higher tier level after the Profile has been approved, the provider must submit a new Profile within 60 days after the provider becomes aware of the increase. Otherwise, Profiles are to be submitted every three years.

What is the Timeline for Submitting Provider Profiles and Conservation Efforts Reports?

For Providers that are Required to Participate in the Modified NPCCP:

Provider Profiles must be submitted by July 1, 2009 and the program must be in place by January 1, 2010 or the date the Profile is approved, whichever is later. A new large provider without a DAWS that is noticed by the Department must submit a Profile within six months of the notice date, and must begin complying on the date the Profile is approved.

The Department will approve or disapprove a Profile within 90 days of the submittal date. If disapproved, providers must correct and submit the revised Profile within 90 days after receiving the notice, or if the provider appealed the Department's decision, within 90 days after the decision is final. If the revised Profile is late or revised is disapproved, the provider is out of compliance until it submits a Profile that is approved. If the Department does not contact a provider within 90 days after the submittal date, the Profile will automatically be approved.

For Providers with a DAWS that Choose to Participate in the Modified NPCCP:

If a provider with a DAWS submits a Provider Profile, the provider will remain in its current program until the Profile is approved. The approval process is the same as that described in the preceding section, except that if a Profile is disapproved, the provider may either submit a revised Profile or stay in its existing conservation program.

What is the Required Public Education Program?

The Public Education Program includes the following requirements:

- The provider must communicate twice per year to its customers the importance of water conservation and the types of water conservation information available from the provider and how the information can be obtained.
- The provider must provide customers with free written water conservation information upon request. The information must be available in the provider's office.

What are the Best Management Practices (BMPs)?

The BMPs are conservation measures that were identified during the stakeholder process and are included in the Second Modification to the Third Management Plan, 2008. There are 53 BMPs in the following seven categories:

1. Public Awareness/Public Relations
2. Conservation Education and Training
3. Outreach Services
4. Physical System Evaluation and Improvement
5. Ordinances/Conditions of Service/Tariffs

6. Rebates/Incentives
7. Research/Innovation Program

A complete listing of the BMPs can be found in the following documents:

- Modified NPCCP Guidance Document attachment: "Required Public Education Program and BMPs in the Modified NPCCP".
- Appendix of the May 2008 Modifications to Chapter 5, Municipal Conservation Program, Third Management Plan.

The Guidance Document will be posted on the Department website when available. For the Modifications, go to: www.azwater.gov, select "Laws, Rules, Subst. Policy" from the left menu, and select "Modification Language" from the AMA of choice; or go to:

http://www.azwater.gov/dwr/Content/Find_by_Category/Laws_and_Rules/default.htm

How are the Best Management Practices (BMPs) Selected and Approved?

Providers must select their BMPs from the Modified NPCCP list. The BMPs selected must be reasonably relevant to a providers' service area characteristics or water use patterns and should be expected to lead to increased water use efficiency. The basis for selection may vary from one provider to another. For a BMP to be relevant to a service area, one or more of the following indicators should apply:

- The BMP is applicable to the majority or a large portion of customers.
- The BMP is directed toward a provider's highest water users or water use categories.
- Customers in the service area are able to take advantage of the BMP.
- The BMP is implemented to improve a provider's existing water conservation effort.
- The BMP is implemented to reduce or eliminate excessive water use or water waste.

Credit for a BMP will be given if:

1. It is included on the Modified NPCCP list.
2. Is relevant to its service area and/or water use patterns.
3. Has led to or may lead to improved water use efficiencies in the provider's service area.
4. Staff time and/or funds were provided for its implementation.

Can BMPs be Substituted or Changed?

A BMP can be discontinued and a new one substituted any time during the year, however, the following conditions apply:

- The substitute BMP must be on the Modified NPCCP BMP list.
- The provider must determine that the substitute BMP is reasonably relevant to its existing service area characteristics or water use patterns as identified in its Profile.
- The provider must explain the substitution in its next Conservation Efforts Report.

A provider may apply to the Director to add a new or different BMP to the list. If approved, the list of BMPs will be modified and posted on the Department's web site and be on file at each AMA office.

What is the Conservation Efforts Report?

The Conservation Efforts Report is used to determine compliance with the Program and serves as a tool for the provider to review and plan for improvements. It includes the following components:

- A description of the Public Education Program and BMPs implemented during the previous calendar year.

- The results of the activities implemented.
- An assessment of the efforts made.
- Plans for the current year's conservation efforts.
- A copy of the provider's current rate structure, unless no changes have been made to the rate structure since it was last submitted to the Department.

The Conservation Efforts Report is submitted along with the provider's Annual Water Withdrawal and Use Report on or before March 31 and covers the activities for the previous calendar year. The Department will approve or disapprove a Conservation Efforts Report within 90 days after the deadline of March 31 or the receipt of the Annual Water Withdrawal and Use Report.

How will the Program be Evaluated?

The Department is committed to ongoing program improvement by assessing the success of specific BMPs and the overall effectiveness of the program. The Municipal BMP Advisory Committee will assist in program evaluation activities, and/or be assisted by an independent evaluator. GPCD will be tracked for each large provider and for each AMA. GPCD values will not be used as a compliance point. However, water use trends may be used to evaluate the effectiveness of some BMPs and will be used to evaluate the overall effectiveness of the Modified NPCCP.

Where Can I Get Help?

Department staff is available to help providers with their planning activities, reports, and BMP substitutions and to provide resources. Staff has prepared a Guidance Document that includes program requirements, instructions and suggestions for completing the documentation, BMP lists, and the forms which will be available on the Department's website. The Conservation Efforts Reports may be posted on the Department's website as a resource for providers and The Department's "Summary of Water Conservation Programs in AMA" will be updated on a regular basis based on information contained in the Conservation Efforts Reports.

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